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### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

#### **In the claims:**

- **In claim 5: change dependency to claim 1.**
- **Cancel claims 7-25** (non elected without traverse on 11/3/09)

#### ***Allowable Subject Matter***

2. Claims 1-2, 5 and 6 are allowed.
3. The following is an examiner's statement of reasons for allowance: The references of the Prior Art of Record fail to teach or suggest alone or in obvious combination, all of the features of the applicants' invention, specifically *the external electrode comprising three layers of metal oxides wherein the content of metal oxide in the first layer is more than a content of the metal oxide in the second layer and the content of the metal oxide in the second layer is more than a content of the metal oxide in the outermost layer* in combination with the recited structural limitations of the claimed invention. Applicant's arguments presented on page 10 of the response filed on 5/25/2010 are persuasive.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaydi A. San Martin whose telephone number is 571-272-2018. The examiner can normally be reached on M-Th 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Benson can be reached on 571-272-2227. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jaydi A. San Martin/  
Primary Examiner  
Art Unit 2834

June 7, 2010